

## **RESOLUTION 2014- 42**

### **A RESOLUTION TO PERMIT OPEN CONTAINERS ON CERTAIN PUBLIC PROPERTY AND WITHIN CERTAIN PUBLIC RIGHTS OF WAY**

WHEREAS, the Sturgis Mustang Rally is an event that brings many tourists to the City of Sturgis and the surrounding area, and

WHEREAS, the City of Sturgis has supported the Sturgis Mustang Rally event in past years, and

WHEREAS, the Sturgis Mustang Rally organizers have requested a designation of an open container area within a portion of the public property of the City of Sturgis, and

WHEREAS, the request from the Sturgis Mustang Rally is permitted under the authority of state law;

NOW THEREFORE IT IS HEREBY RESOLVED as set forth herein that the City of Sturgis shall hereby establish an open container area on August 30, 2014 from 10:00 am to 7:00 pm on that public property open to the public, within area bounded as follows:

1. On the West by the east edge of the Right of Way of 4<sup>th</sup> Street, beginning at the intersection of 4<sup>th</sup> Street and Lazelle Street and continuing south to the intersection of 4<sup>th</sup> Street and Sherman Street, and
2. bounded on the East at the western edge of the Middle Street Right of Way beginning at the intersection of Sherman Street and Middle Street and continuing North to the intersection of Middle Street and the alley located between Lazelle Street and Dudley Street, except for an extension further East across the Middle Street Right of Way and along and including the entire Main Street Right of Way to a point two hundred eighty (280) feet East of the intersection of Main Street and Middle Street and
3. bounded to the South by a imaginary line lying 7' to the South of the North edge of the Sherman Street Right of Way between 4<sup>th</sup> Street and Middle Street and
4. bounded to the North by the alley Right of Way located between Lazelle Street and Dudley Street and extending from the intersection of that alley and Middle Street across Junction Avenue and continuing to the intersection of that alley and the Right of Way for 1<sup>st</sup> Street, and further including the area within and between the Right of Way of 1<sup>st</sup> Street and 3<sup>rd</sup> Street that lies north of Lazelle Street and south of Bear Butte Creek, then continuing along the south edge of the Right of Way of Lazelle Street further west to the point of beginning.
5. Included in this Open Container area are the designated cross walks at the intersections of Main Street and Junction, Lazelle Street and Junction, 1<sup>st</sup> Street, 2<sup>nd</sup> Street and 3<sup>rd</sup> Street and Lazelle Street, and also including the Right of Way area of Third Street, Second Street, First Street, Main Street and Junction Avenue within these boundaries.

This area shall be marked by city barricades with clearly legible signs, provided by the organizers and consistent with the limitations of this Resolution, stating that the barricade marks the boundary of the open container area. The open container area does not include the City Library, nor any City Property not open to the public, and does not include any private property within the open container area. The Police Department will be authorized to tow vehicles within the street closure area, starting August 30, 2014 at 2:00 a.m.

Dated this 28th day of July, 2014.

CITY OF STURGIS

ATTEST:

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Mayor Mark Carstensen

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Fay Bueno, Finance Officer

Published: 08-06-2014

Effective: 08-27-2014